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Swiss Antitrust Enforcement between 1995 and 2015

Bachelor Thesis

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Management Summary

In 1995 the Cartel Act was passed by the regulators and with it the Competition Commission was set up. Since then the commission has investigated and enforced antitrust regulations for over 20 years. The commission is required by law to publish all of the decisions from the conducted investigations into economic misconduct. However, there does not exist an overview over the work done by them. Not even the commission itself has an overview of all their work.

This thesis provides such an overview. It includes all the work done by the commission, but focuses mainly on the investigations into economic misconduct. It further analysis the impact different factors have on the outcome of the investigations. There are a multitude of factors which could potentially have an impact on it. There is the report route of the investigation, the type of misconduct, the year in which the decisions was issued and the economic sector the corporation operates in. All of these are likely to have an impact in some way.

To analyse the work done by the commission during this time all the publicly available annual reports and issued decisions were collected and put into a data set. To complete the data set outside information was added to all the information from the Competition Commission. This thesis presents and further analysis the collected data.

Contrary to expectations the amount of issued decisions each year has not been rising. However, there has been both an upward trend in both the average time it takes the commission to complete an investigation and the amount of pages the published decision has. This could be explained by an increasing complexity. What has changed over the year is the type of the decision the investigation leads up to. In fact, it is the only factor which had a significant impact on the type of decision. For example, investigations after 2011 were far more likely to end in an amicable settlement than at the beginning of the Competition Commission. The analysis further shows the type of economic misconduct does not have an impact on the outcome of the investigation. Corporations who made illegal agreements are nearly as likely to be forced to change their behaviour as corporations who abuse their dominance. The investigations for both are also nearly equally likely to be discontinued. The report route of the case also does not make a significant difference in the outcome of the investigations. The same is true for the

economic sector in which the corporation operates in. These results are quite surprising as the general expectation is that different types of misconduct should lead to different results.

The next step in evaluating the work done by the Competition Commission would be to compare the findings of this thesis to similar studies of other antitrust agencies around the world. These comparisons would show if there are similarities or differences between the agencies, which could potentially offer new insights into antitrust regulations.

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1. Introduction

1.1 Problem Statement

On the 1st of February 1996 the revised Swiss Cartel Act came into law and with it the Competition Commission was set up. The Competition Commission replaced its predecessor the Cartel Commission with the new Cartel Act. The main purpose of the Cartel Act is to ensure fair competition and to stop harmful behaviour from market participants. Further the commission is in charge of monitoring companies with dominant market positions and looking for signs of anti-competitive conduct. They further have the ability to penalise unlawful economic behaviour. (Federal Act on Cartels and other Restraints of Competition (Cartel Act), 2014)

This bachelor thesis provides a complete overview of all decisions the Competition Commission of Switzerland has issued between 1995 and 2015. So far, there does not exist an overview. Thus it is difficult to get an insight into the work of the Competition Commission. It is also difficult without an overview to see the amount of work they do each year. It is also not possible without an overview to see any changes from the Commissions work over the years. An overview could potentially show differences in the amount of work they do as well as changes in their decisions making. It is also important for the public to see the actual impact the Competition Commission has and to see if there are lasting effects of the Commissions decisions, or if the courts overturn all decisions on appeal.

1.2 Scope

In 1995 the Cartel Act was passed by the regulators and thus it is the obvious choice as the start year. This makes further sense as the start date of the analysis as it shows the amount of time it took from the government's decision to pass the Cartel Act, to actually set up the commission and then for the commission to start its work, start investigating and eventually decide on its first case. For the end date the year 2015 was chosen as it is likely that not all cases that they started working on since then have already been completed. Even if they were completed, it is likely that there are still appeals hanging in the courts. Those cases therefore do not provide a full and true picture of the work done by the Competition Commission. 20 years is also a nice timeframe to see if things have

changed over the years. The thesis does not look at each individual appeal though it grants a short overview based on released information from the Competition Commission.

1.3 Background

1.3.1 Swiss Competition Commission

The Swiss Competition Commission consists of twelve members, which have been elected by the Federal Council. A majority of these members are required by law to be “independent experts” meaning most of them are professors of economics or law at Swiss universities. The other members are representatives of business and consumer associations. This composition is meant to ensure the expertise and objectivity of the commission.

The objective of the commission is to ensure fair competition across all different markets. Cases of harmful economic behaviour by undertakings are investigated by the commission. Upon finishing the investigation of a case the commission has the right to issue decision on the case. Decision issued by the commission can be appealed. Those appeals will then be handled by the Federal Administrative Court. If those decisions are further appealed the decisions then will be handled by the Federal Supreme Court. Apart from deciding on cases of harmful economic behaviour, the commission is also asked to provide expert opinions and recommendations to the Federal Council in questions of competition.

The Cartel Act was passed in 1995 and came into law the following year 1996 (Commission, n.d.). However, the first real investigation of the Competition Commission started on the 24th of September in the same year. It would take another 223 days until the commission issued their first decision on the 5th of May 1997¹. Further the Commission has only published annual reports from 1997 onwards. Despite that, this thesis takes a look at the committee from 1995, when the Cartel Act was passed, all the way up to 2015.

The decision of the last investigation falling into the time frame was issued on the 14th of December 2015. The investigation was opened on 26th of November 2012 and was looking into an illegal agreement about market split-up between distributors of pianos

¹ Telecom PTT/Blue Window, 24.09.1996-05.05.1997, LPW 1997-2, p. 161-175

and grand pianos. The Competition Commission eventually came to an amicable settlement with the involved corporations.²

1.3.2 Literature Review

There have been a few studies done which look at antitrust enforcement around the world. One of those was done by Martin Carree, Andrea Maria Günster and Maarten Pieter Schinkel which was titled “European Antitrust Policy 1957-2004: An Analysis of Commission Decisions” and was published in 2010. The study focused on all cases investigated by the European Commission between 1957 and 2004. It found that there is a correlation between country of origin and decision type, between OECD sector and decision type & report route and decision type (Carree, Günster & Schinkel, 2010). Other examples of European antitrust studies are Schinkel (2007) and Veljanovski (2007).

Other studies before then mostly focused on mergers in Europe. Apart from studies about the European Union as a whole, there are also studies about the competition policies in individual European countries. Further, there have been a number of studies focusing on the antitrust enforcement in the United States. Examples of these are the studies from Posner (1970 and 2001), Gallo et al. (1985, 1986, 1994 and 2000), Corwin (1992), Lin et al. (2000), Baker (2003) and Ghosal and Stennek (2007). However, there is no study looking at the Swiss antitrust enforcement.

The theoretical background for this thesis is based on the work of two different authors. First off, there is “Competition Policy: Theory and Practice” (2004) by Massimo Motta, which mainly focuses on European competition law. There is also Nicholas Gr. Mankiw’s book “Essentials of economics” (2014), which explains the theory behind competition and focuses mainly on the US market.

² Flügel und Klaviere, 26.11.2012-14.12.2015, LPW 2016-3, p. 652-722

1.4 Antitrust Regulation

1.4.1 Cartel Act of 1995

The purpose of the Cartel Act of 1995 is to stop the formation of cartels and ensure cartels cannot have harmful effects on the economy. Further it is supposed to promote competition in the market (Cartel Act, 2014, Chapter 1 Art. 1). The law applies to all public- and private undertakings, whose practices have an effect on Swiss markets, no matter their country of origin (Cartel Act, 2014, Chapter 1 Art. 2). However, other statutory provisions from the government restricting competition in certain markets have precedence over the Cartel Act. There are three different definitions of unlawful economic behaviour prohibited by the Cartel Act. First verbal and nonverbal agreements between two or more parties with the purpose of restraining the competition are prohibited. Secondly a merger, or any deal, seeing one undertaking take control over one another, can be prohibited by the competition commission, if the deal could result in a too dominant undertaking. Lastly, dominant undertakings are not allowed to abuse their strong market position to create an unfair market for consumers and competitors (Cartel Act, 2014, Chapter 1 Art. 3).

There are several types of unlawful restraints of competition. Any agreement restricting competition in a goods or services market, which cannot be justified because of economic efficiency, is not allowed. Agreements from competitors to fix prices directly or indirectly are unlawful. Further agreements limiting the amount of goods that can be bought, as well as agreements to split up markets based on locations, are illegal (Cartel Act, 2014, Chapter 2 Art. 5). These regulations reflect the six economic rationales. These six economic rationales are defined as horizontal violations, abuse of dominance, licensing, vertical restraints, joint ventures and mergers by the paper “European Commission decisions on competition: economic perspectives on landmark antitrust and merger cases” (Carree, Günster & Schinkel, 2010). The Cartel Act is supposed to stop these from happening and enable the commission to investigate possible violations and punish infringements.

1.4.2 Evolution of the Cartel Act

Since the Cartel Act came into law there were several revisions of it. Since 1995 there have been nine revisions, with each changing little details, but the overall objectives staying the same since the regulations first came into law. Those revisions are meant to ensure that the Cartel Act continues to have the desired effect the government hopes for. The last one, which came into law in 2014, introduced a section into the Cartel Act, which regulates the data exchange with foreign competition authorities. (Cartel Act, 2014)

1.5 Publication of Decisions

The Competition Commission is required by law to inform the public about their doings. They are further required to report their work yearly to the Federal Council (Cartel Act, 2014, Art. 49 para. 1). They are also allowed to publish the decisions of investigations, but they are not allowed to publish certain business secrets of the investigated undertakings (Cartel Act, 2014, Art. 48 para. 1).

In practice this means the commission is publishing their annual reports online and in addition publish a report of what they have done quarterly. However, they only started doing this in 1997, meaning there is no public information available of any work done by the Competition Commission before then. Most of the reports of investigations are published in German, yet there are some cases where the reports are in French or Italian. Further they have used different structures to report their investigations over the years and sometimes even in the same year. For example, they have not always published the procedural costs or the exact sanction numbers. The following analysis is only based on publicly available information.

2. Analysis of the Competition Commission's Decisions

To analyse the work done by the commission during this time all the publicly available annual reports (Competition Commission Annual Reports, n.d.) and issued decisions (Competition Commission LPW, n.d.) were collected and put into a data set. This data set was then analysed.

2.1 Other work done by the Swiss Competition Commission from 1995 – 2015

2.1.1 Expert Reports, Recommendations and Opinions

The Competition Commission has a number of duties besides their main task of investigating economic behaviour. One of those duties is to make recommendations to the authorities in order to help with the advancement and protection of fair economic competition. The commission is also in charge of providing expert opinions on economic regulation currently considered by the government. For this purpose they are required to write expert reports. The commission is further in charge of responsibilities such as performing follow-up checks, accompanying conversion and determining dispositions.

Expert reports, recommendations and opinions etc.	Total
Accompanying Conversion	11
Expert reports (Art. 15 Cartel Act)	23
Recommendations (Art. 45 Cartel Act)	24
Expert opinions (Art. 47 Cartel Act, 5 para. 4 PMA or 11a TCA)	44
Follow-up checks	56
Determining dispositions	4
Notices (Art. 6 Cartel Act)	12
Opinions (Art. 46 para. 1 Cartel Act)	1944

Table 1 - Expert reports, recommendations and opinions etc. 1995 – 2015

During the 20 years of their existence the commission was asked to provide their opinions a total number of 1944 times, around 97 times a year. This most likely means that the Competition Commissions opinion is highly valued and that the commission is seen as very competent. They also conducted on average 2.8 follow up checks each year. Interestingly 25 of the follow-up checks were conducted between 1997 and 1999, while they were none at all in 2015. In fact there was only one time since 2011 when they conducted more than one check.

2.1.2 IMA

There is a second set of regulations apart from the Cartel Act, which the Competition Commission is in charge of enforcing, namely the Internal Market Act. The Internal Market Act is supposed to ensure free and equal market access for employment to people living in Switzerland. (Bundesgesetz über den Binnenmarkt Binnenmarktgesetz, 2007, Chapter 1, Art. 1) The commission is also asked to give out recommendations and to conduct investigations as well as writing expert and explanatory reports for its set of regulations.

IMA	Total
Recommendations / Investigations (Art. 8 IMA)	23
Expert reports (Art. 10 I IMA)	13
Explanatory reports (Secretariat)	310
Appeals (Art. 9 para. 2bis IMA)	24

Table 2 - IMA 1995 – 2015

Based on the numbers above, the committee wrote a total number of 310 explanatory reports. This leads to the conclusion that there was a lot of uncertainty and a lack of understanding of the regulations over the years.

2.1.3 Other Activity

Under “other activities” the commission lists all work done, which is not part of their main duties. This includes tasks such as monitoring certain markets, answering various different enquires and providing advice for other government agencies as well as public and private undertakings.

Other Activities	Total
Notifications under Art. 49a para. 3 let. a Cartel Act	204
Advice	401
Market monitoring	832
Freedom of information applications	36
Reports of failure to pass on foreign exchange benefits	485
Other enquiries	5167

Table 3 - Other Activities 1995 - 2015

To note is that all of the 485 failures to pass on foreign exchange benefits were reported between 2011 and 2013.

2.1.4 Mergers

The commission has the duty to investigate mergers. The reason is to see if the merger of the two or more existing undertaking would result in a new undertaking, which would have an overly dominant market position. In this case the commission has the power to disallow the merger. While some antitrust enforcement agencies in other countries combine mergers with the other types of economic misconduct in their investigations, in Switzerland the Competition Commission has decided to investigate and report them on their own. Companies, which are planning a merger with another company, are required by law to inform the commission about said merger if they fulfil one of two criteria. First if the involved parties combined have a revenue of upwards of 2 billion Swiss francs or revenues over 500 million on Swiss markets. Secondly, if two or more of the involved undertakings have a turnover of at least 100 million Swiss Franc on Swiss markets. There are further special criteria for some types of corporations such as banks or insurance companies. (Cartel Act, 2014, Art. 9)

Mergers	Total
Notifications	613
No objection after preliminary examination	515
Investigations	46
Decisions of the Competition Commission	41
... After preliminary examination	43
... After investigation	13
Sanctions	13
Early implementation	8

Table 4 – Mergers 1995 - 2015

During the existence of the commission it has received a total number of 613 notifications. However, in 84% of those cases the commission had no objections after a preliminary investigation. The amount of notifications the commission receives each year has been relatively stable with no recognisable trend. The least amount of notifications the commission received was 21 in 2004 and there was only one year where they received more than 45 notifications.

2.1.5 Preliminary Investigations

The commission also conducts preliminary investigations to figure out if full scale investigations are necessary. Preliminary investigations are opened if the Competition Commission has reason to believe there is illegal behaviour from one or more undertaking in the market. They can also be opened if the commission either receives a lead from an insider or a complaint from an undertaking about the behaviour of its supplier or competitors.

Preliminary Investigations	Total
Concluded	390
... Investigations opened	68
... Modification of conduct	90
... No consequences	137

Table 5 - Preliminary Investigations 1995 - 2015

Over the years the Competition Commission conducted a total number of 390 preliminary investigations. However, in only 68 cases did the commission open a full investigations based on their preliminary results. In a further 90 cases the involved parties were forced to change their economic conduct. These numbers mean that in only 17.5% of the investigations the commission found it necessary to open an investigation. This shows the commission prefers if the investigated parties agree to modify their behaviour so no full investigations are necessary. Further they believe more often than not no full investigations by them are required. If we look at how those numbers developed over the years one can see that there is a downward trend in the amount of preliminary investigations opened each year. The data shows that at the very beginning of the commissions the most preliminary investigations were opened with 44, which justifies the need for passing of the Cartel Act in 1995.

Having given an overview of the commissions other work from 1995 to 2015 the thesis will now focus on the main duty of the commission. Their main duty is to conduct investigations into harmful economic behaviour. In the following sections the paper will analyse the investigations and decisions regarding the economic conduct of companies in Swiss markets.

2.2 Total Number of Investigations

Investigations	Total
Final decisions	120
... Change of behaviour	33
... Amicable settlements	32
... Discontinued	39
... Sanctions under art. 49a para. 1 Cartel Act	4
... Other	12
Procedural decision	32
Precautionary measures	24
Sanctions under art. 50 Cartel Act	6

Table 6 - Total Investigations 1995 - 2015

Since its inception in 1995 up until the end of 2015, the Competition Commission has issued a ruling in 120 cases. In 32 of these cases the commission and the other parties involved came to an amicable settlement on how to move forward. In 36 of the 120 investigations ended up with the examined company having to change their behaviour, while 39 of the investigations ended up discontinued. Under “Other” are all decisions from investigations which are not into economic misconduct. For example, this can be an investigations into a request to access records or an investigation into the request to stop another investigation. At the end of 2015, there were still another 22 ongoing cases. The first official ruling was issued on the 5th of May 1997, which is a little over five months after they started their first full investigation. Unsurprisingly the first decision happened to be for the first opened investigation.³

From 1995 to 2015 the commission has issued an average of six decision per year. They further worked on 21 investigation each year and launched just over six new investigations each year. This shows that the commission coped very well with their work load as they were able to finish as many cases as they were opening during a normal year. Although this also means that they are not able to reduce their amount of open investigations (on average 21 each year), because as soon as they are able to issue a decision for an investigations they usually open a new one.

³ Telecom PTT/Blue Window, 24.09.1996-05.05.1997, LPW 1997-2, p. 161-175

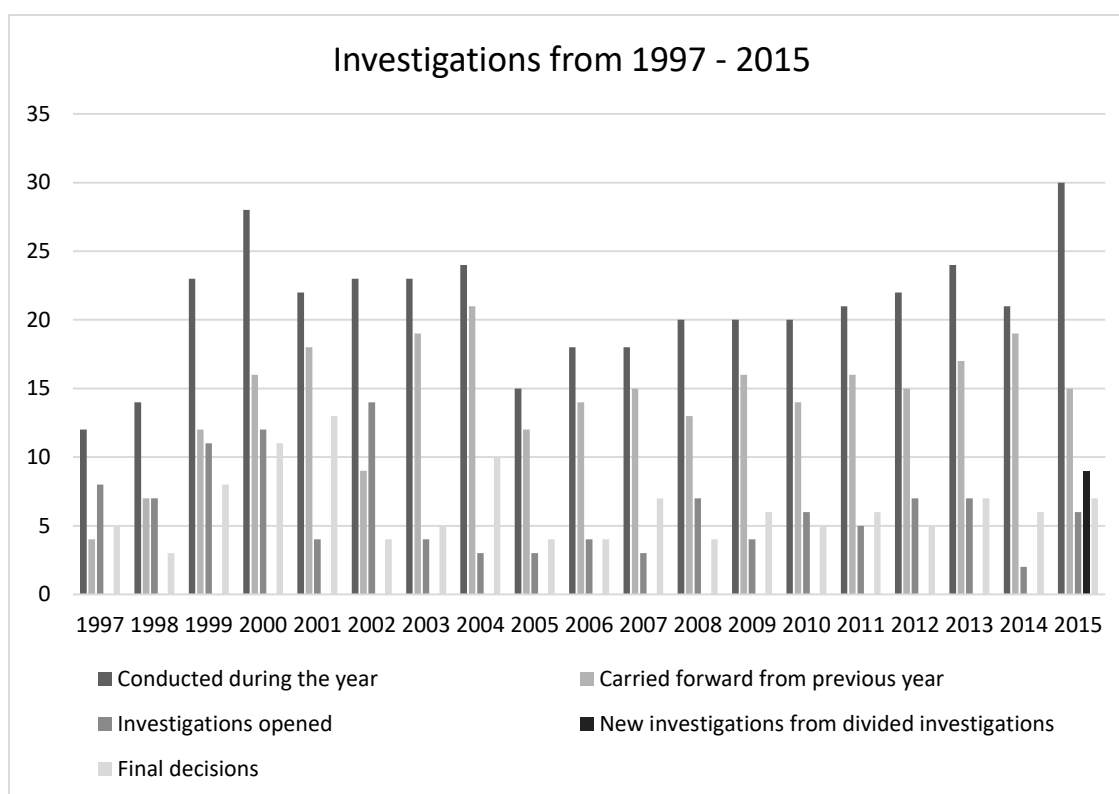


Figure 1 - Investigations 1997 - 2015

Looking at the year to year numbers, the number of investigations conducted during the year is on a steady increase. There is no distinguishable trend in the amount of investigations opened each year. Further the amount of issued decisions grew until 2001, but then went back to 1997 levels. Since 2001 the numbers of the final decisions have been relatively stable. There is no one obvious single factor leading to the increase until 2001 and then to the drop of the number of issued decision each year. After 2001 the amount of final decision remained relatively stable though there was a single year spike in the amount of completed investigations in 2004.

On average an investigation took 879 days from the official opening until completion of said investigation. The shortest investigation taking only 96 days to complete. It was an investigation into the necessity of pre-emptive measures regarding sports in pay-tv⁴. On the other hand the investigation into the termination of cell phone contracts of the three big providers Swisscom AG, Sunrise Communications AG and Orange Communications took just over nine years to complete (3345 days). The investigation was officially opened

⁴ Sport im Pay-TV – Vorsorgliche Massnahmen, 03.04.2013-08. 07.2013, LPC 2014-2, p. 387-391

on the 15th of October in 2002 and was finished on the 12th of December 2011. This was the longest investigation by far⁵. The second longest one took 478 days less⁶.

The following graph shows the average amount of time it took to complete an investigation. The investigations count to the year in which the Competition Commission issued the rulings. This means that in some years there is not a large amount of completed investigations meaning outliers have a larger effect.

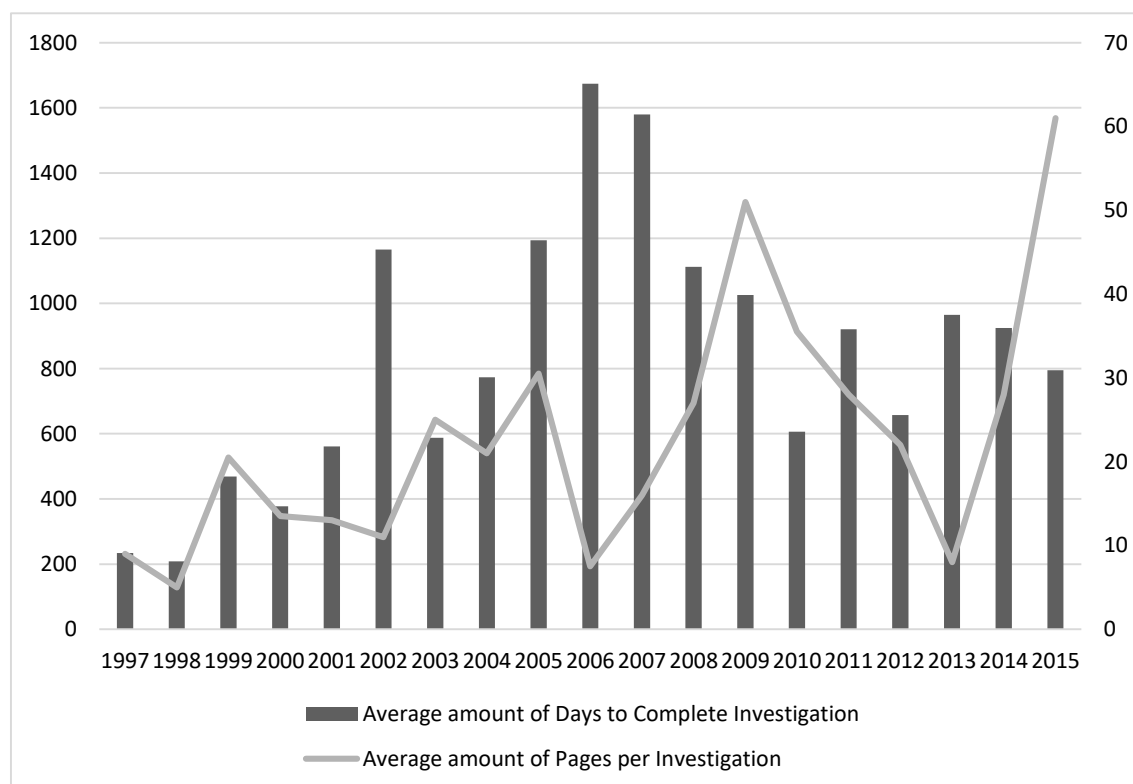


Figure 2 - Average Amount of Days / Average amount of Pages

Looking at how the average completion time develops over time one can see a clear trend emerging. The first five years (1997 – 2002) happen to be the five years where on average it took the least amount of time to complete an investigation. Further after the first two years an upwards trend started until the end of 2006, when the number of days seemed to drop again.

⁵ Terminierung Mobilfunk, 15.10.2002- 12.12.2011, LPC 2011-4, p. 522-529

⁶ Submission Betonsanierung am Hauptgebäude der Schweizerischen Landesbibliothek, 13.01.2000 - 19.11.07, LPC 2009-4, p. 339-349

The period from 2005 to 2009 included five of the six years where it took over a 1000 days on average to complete an investigation. The rise in the time it took to complete an investigation could be explained by a rise in complexity over the years. However, there is no known single factor that lead to a drop after 2007.

Interestingly there is no correlation between the amount of days it takes to finish an investigation and the amount of pages the publication of the decision has. In fact 2006 was the year that it took on average the longest to complete an investigation, but in the same year the issued decisions had nearly the fewest amount of pages. Further the decision of the investigation which took the longest to complete only consisted of seven pages, meaning less than one per year that the investigation was conducted⁷. There is a clear and stable upwards trend in the amount of pages per investigation.

⁷ Terminierung Mobilfunk, 15.10.2002- 12.12.2011, LPC 2011-4, p.522

2.3 Types of Decisions

There are four distinct types of decisions the Competition Commission makes use of. Firstly, the Competition Commission can decide that the investigated companies have to change their behaviour so they no longer violate economic regulations. Secondly, the commission can accept an amicable settlement they worked out with the investigated undertakings. Third, if during the investigation it turns out that there is no actual violation they can decide to discontinue their investigation. Lastly, they can sanction companies, who have violated the regulations by their behaviour in the past, but do not have to change their behaviour right now. Further the commission can for any of the types decide who has to pay the procedural costs and they can issue fines to companies for their involvement in the economic misconduct.

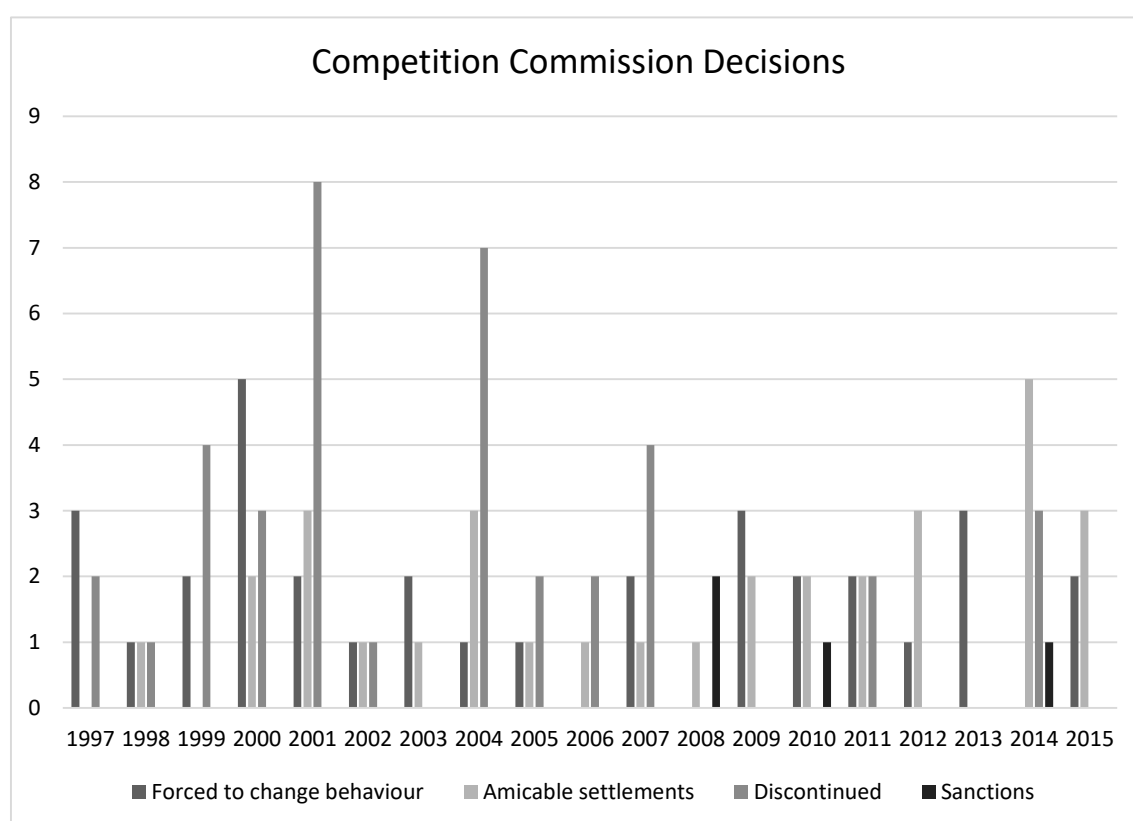


Figure 3 - Competition Commission Decisions

The hypothesis of independence of the year in which the decisions was issued and the type of the decision can be tested by the chi-squared test. The significance level to reject the hypothesis of independence is one percent. The result of the test is 0.0013, which means that there is a dependence between the year and the type of the decision. In fact, it is a very low test result, which indicates a big differences in the types of decisions each

year. This points to a strong correlation between the year of the decision and the type of the decision.

Looking closer at the data one can see that there recently has been an upwards trend in amicable settlements compared to the other types of decision. Especially after 2011 there has been a rise in amicable settlements between the Competition Commission and the investigated corporations. While over the whole timeframe nearly one out of three investigations ends in an amicable settlement, since 2011 48% of the cases ended up in settlements.

Until the end of 2004 48% of all investigations were stopped by the Competition Commission. The large amount of discontinued investigations at the beginning of the commission is obviously a bad sign and makes people question the necessity and efficiency of the commission. However, the amount of discontinued cases has been slowly going down over the years. In fact in all of 2012, 2013 and 2015 there were no investigations discontinued. This proves that the commission has become more efficient and knowledgeable about what to investigate. Over the whole 20 years 36% of the investigations ended up with the commission closing the investigation, because they found no unlawful economic behaviour by the investigated corporations.

The first investigation that ended with a sanction for a corporation's past behaviour was completed in 2008. The amount of decisions that end up with the commission forcing the undertakings to change their behaviour have been on a slight downward trend over the whole timeframe.

2.4 Report Route of Cases

The Competition Commission has three different ways they can be informed about new cases. First, the commission can open investigations themselves if they have reason to believe that there is ongoing illegal economic behaviour. Secondly, corporations have the possibility to report themselves to the Competition Commission if they are unsure about the legality of their behaviour or if they have realised their past behaviour violates laws. Further competitors, customers and distributors of companies, who conduct themselves unlawfully, can notify the commission if they have either reason to suspect or proof of illegal economic behaviour.

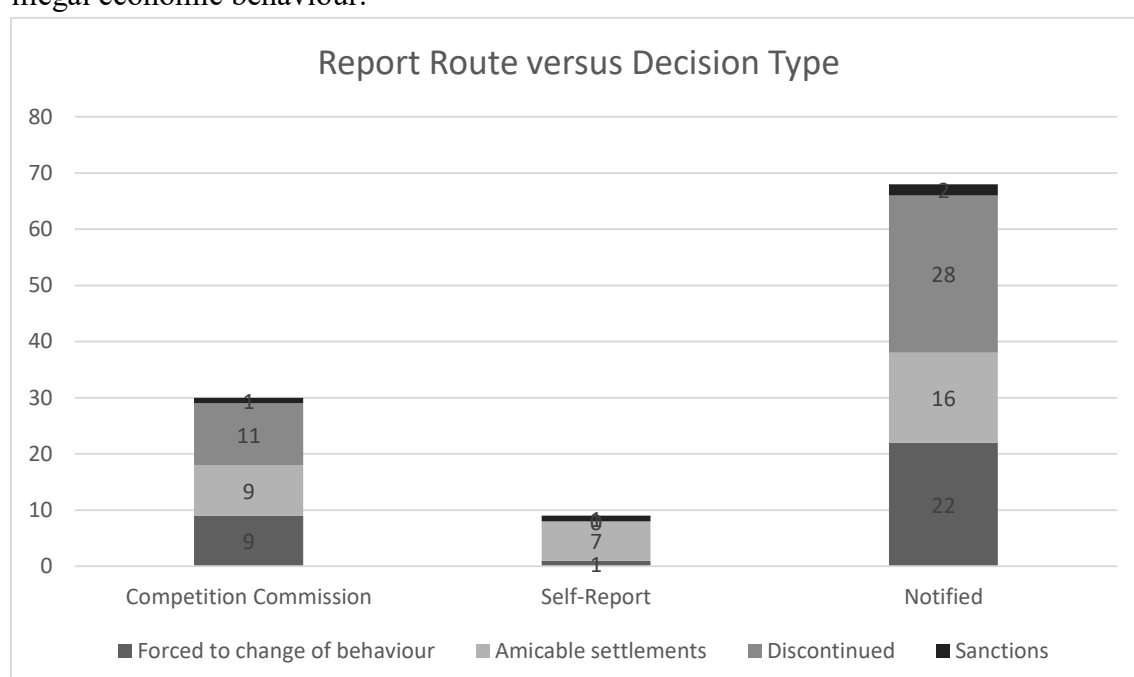


Figure 4 - Report Route versus Decision Type

To see if each of the report routes have the same amount of chance to result in any decision type we can conduct a chi-squared test. If there is more than a one percent significance then the hypothesis of an even distribution has to be rejected. For the relation between report route versus decision type the test results in a significance of 0.017. Thus the report does not correlate with the decision type. However the self-reported case do seem to get different results compared to the other two report routes.

30% of all investigations started by Competition Commission themselves end in the commission forcing to change the behaviour of the investigated corporations. The exact same amount of the cases end in amicable settlement and another 37% of all investigations end up discontinued.

Investigations opened by the commission after they were notified have a slightly larger percentage in discontinued cases with 41.18%. 32.35% of investigations opened after outside notification end with the examined companies having to change their behaviour and another 23.53% end up with an amicable settlement. The percentages for investigations started by the commission and the percentages for the investigations opened after outside notification are quite similar. This proves that the commission judges each case the same way no matter how the investigation started.

This is different for cases where the companies reported themselves. Corporations, which have reported themselves to the Competition Commission, tend to seek an amicable settlement with the commission. The commission might also be more likely to accept a settlement when companies admit their own mistakes. It is thus no surprise that out of the nine cases where this happened only two did not end up in settlements. Out of these two cases, the commission forced one company to change their behaviour, while the in the other case the corporation ended up with a sanction for their past behaviour.

2.5 Decisions by Type of Misconduct

The Competition Commission deals with a multitude of economic behaviours, which violate regulations. There are four, which occur the most often. First, there are horizontal violation. These consists mainly of competitors agreeing on prices, market split-ups, bids for contracts or hindering the entry of new competition. Secondly, there are corporation abusing their dominant market position to either prevent any competition or short-change those dependent on them. Further there are also illegal vertical restraints, which are mostly illegal agreements between corporations and their distributors about prices, market split-ups or about the hindrance of new entry of competition. Lastly there are mergers, which can be prohibited by the commission, if they are found to be harmful for the economy. However, the commission deals with mergers separately and uses investigations only for the three before mentioned economic behaviours.

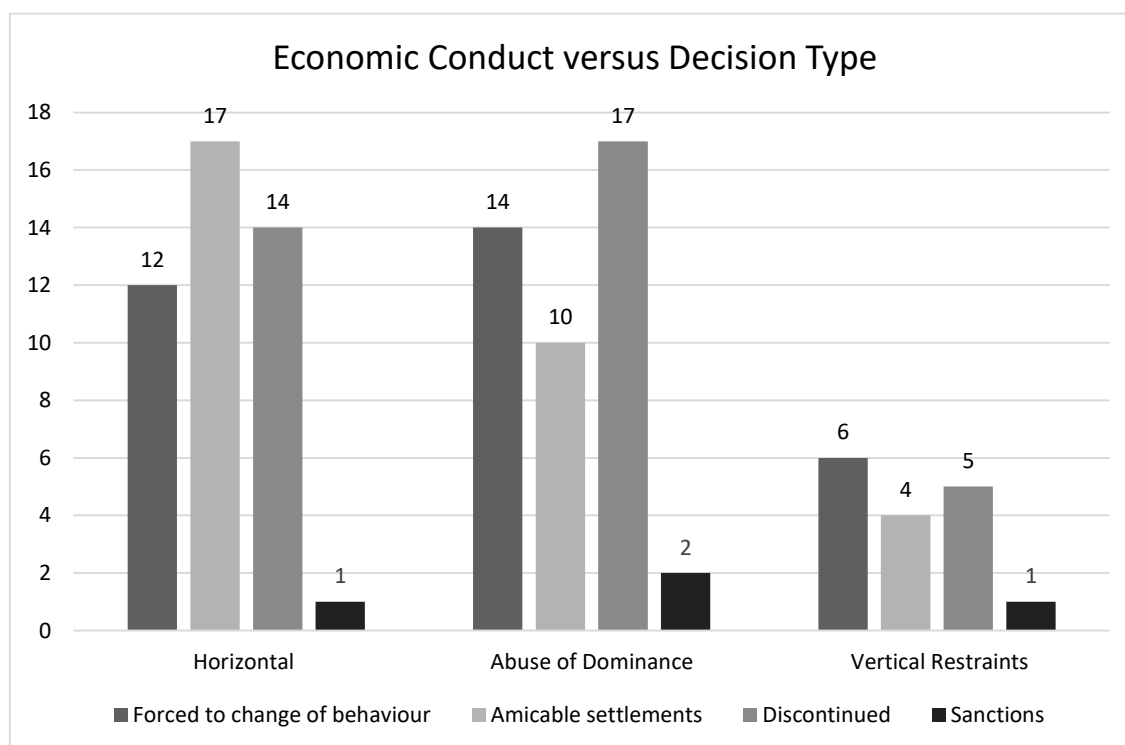


Figure 5 - Economic Conduct versus Decision Type

To test the statistical significance of the distribution of the decisions for each type of violation it is important to take a look at the chi-squared test. The results of the test show there is no significant difference between the expected and the actual results. In fact the results show a very high value of 0.7328 for the distribution. This high of a value proves the type of misconduct has no impact on the eventual decision by the commission.

The most common violation of economic regulation that the Competition Commission investigates are horizontal misconducts. However, there were nearly as many abuses of dominance, while there were a lot fewer illegal vertical restraints. The decisions for cases looking into horizontal economic violations are very equally distributed. 27.27% of the investigations end in the commission forcing the corporations to change their behaviour, 38.64% end in settlements and 31.82% end up discontinued. The decisions for abuse of dominance are not as evenly distributed. The big difference being the amount of examinations ending with an amicable settlement. Only 23.26% of them end in settlements, while 32.56% end in change of behaviour and 39.53% were discontinued. The investigation into vertical restraint violations are also very evenly distributed. Further there was also at least one case for each of the different violations where the decisions ended up as a sanction.

In general the decisions are pretty evenly spread for all three main types of economic misconduct, showing that there is no possibility to foresee the outcome of the investigation based on the type of misconduct. This is in stark contrast to findings from the European antitrust commission in the paper “European Antitrust Policy 1957-2004: An Analysis of Commission Decisions”, where abuse of dominance and horizontal violations usually ended with an infringement verdict. Further they found out that the decisions were heavily impacted by the type of economic misconduct (Carree, Günster, Schinkel, 2010).

2.6 Conduct by Economic Sectors

It is important to know if the economic sector that the company operates in has any connection to the decision by the Competition Commission. The following graphs shows the decisions of the investigations in each economic sector. Manufacturing combines all decisions of the categories “Food & Drinks”, “Chemicals”, “Plastics, Rubber & Glass” and “Metal Products & Engineering”.

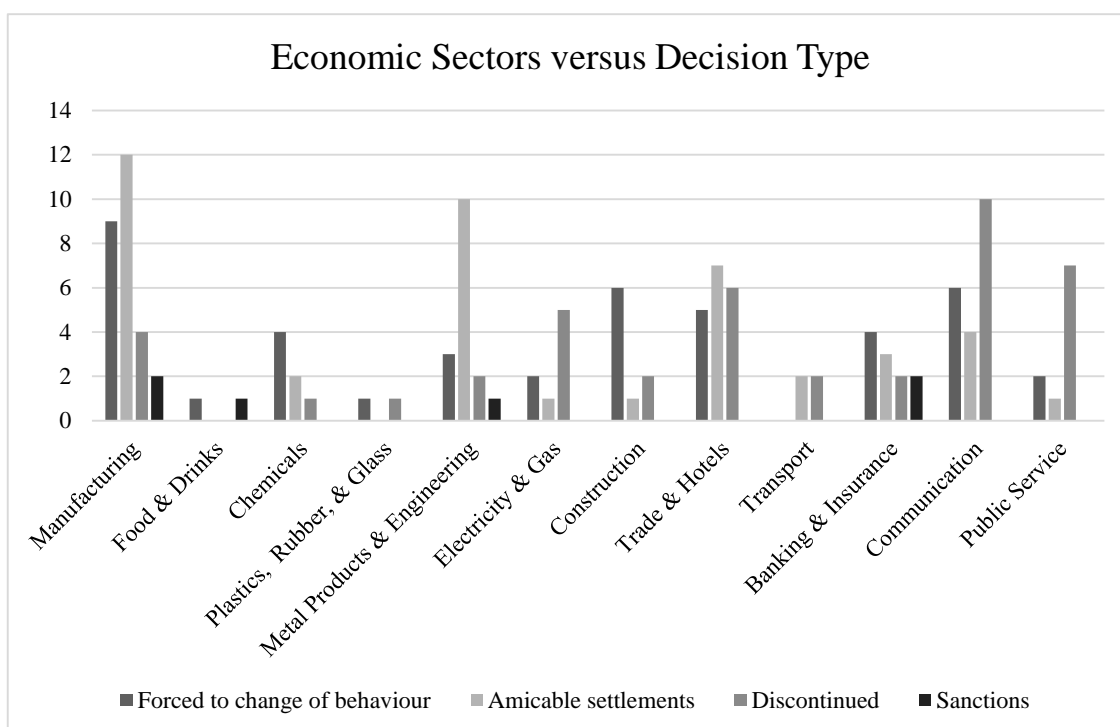


Figure 6 - Economic Sectors versus Decision Type

The results of the chi-squared mean the hypothesis of independence between economic sectors and the issued type of decision has to be accepted as the result is 0.016 (rejected at a one per cent significance level). This means there is no significant correlation between the economic sector of the company investigated and the type of the eventual issued decision. Given the small sample size for some economic sectors, one might interpret the results cautiously.

However, based on data available there are certain economic sectors where clear trends can be seen in the decision making by the Competition Commission. For example in less than 15% of the investigations into companies, involved in manufacturing, were the examined companies not found guilty and the investigation discontinued. This is a lot lower than the overall percentage of 36.11%. Further it is very noticeable that there is an abnormal amount of amicable settlements decisions in the “Metal Products &

Engineering” sectors. 62.5% of the cases ended in a settlement for companies in this sector and the sector contributed nearly one third of all decisions ending in settlements. Further, there is a larger than normal amount of discontinued cases in the “Electricity & Gas”, “Communication” and the “Public Service” sectors. In those sectors the statistics show the commission was more likely to discontinue the case than to come to any other conclusion to the investigation. In 55.56% of all examinations in the “Construction” sector the investigated corporations were forced to change their behaviour. This is a significantly higher than the average percentage. Decisions in both the “Trade & Hotel” as well as the “Banking and Insurance” sectors are evenly distributed. There is no significant trend in the decisions for either of the sectors visible. There have not been a lot of investigations into the “Food & Drinks” manufacturing, the “Plastics, Rubber & Glass” manufacturing and the “Transport” sectors. Thus it is not possible to make any conclusions about the distribution of the different types of decisions issued by the commission for these sectors.

2.7 Enforcement of the Competition Rules

It is not enough for a commission to hand out punishments on undertakings, if those decision then end up being overturned by the appeal courts. In Switzerland the Federal Administrative Court handles all appeals of commission's decisions. If those court decision are further appealed the case goes to the Swiss Federal Supreme Court. The Federal Supreme Court then gets to have the final decision. A high number of overturned Competition Commission decisions would mean that either the commission is unqualified to investigate or that the Cartel act is quite ambiguous and can be interpreted in different ways. Either way it would show that there would be changes in Switzerland's antitrust enforcement necessary. The Competition Commission has only published the full data of the appeal proceedings in their annual reports since 2009, though they published some data in both 2007 and 2008.

Appeal proceedings	Total
Judgments of the Federal Administrative Court	33
... Success for the competition authority	26
... Partial success	3
Judgments of the Federal Supreme Court	5
... Success for the competition authority	4
... Partial success	0

Table 7 - Appeal proceedings 2007 – 2015

The statistics of the appeal proceedings give information on how many of their decision get overturned by the federal judges on appeal. Only five decision have been completely overturned by the judges. Another seven were partial successes for the commission, while the rest were complete victories for them. The data also shows that one fifth of all decision of the Federal Administrative Court will usually be further appealed. The commission has a complete success rate of 78.8% in front of Federal Administrative Court judges and a complete success rate of 80% in front of federal Supreme Court judges. Both of those are rates are satisfactory. The commission thus has been mostly successful in courts. This proves they had a lasting effect on the economy and that cartel the act is very successful at doing what it is supposed to do.

Apart from looking at the number of appeals, there is a second method of judging the success of the Competition Commissions antitrust enforcement. Namely to look at the amount of repeated investigations into the same behaviour and the expansion or revisit of past investigations. The more often the commission has to fully repeat or add to former investigation the less time and cost effective they are.

For the Swiss commission there has been one case in particular in which they had trouble of enforcing their ruling. The case involves the Swatch Groups announcement to stop delivering clock components to other companies⁸. Swatch first announced their decision to no longer supply the components to companies other than their subsidiaries on the 18.12.2009. In the spring of 2010 the Swatch Group first contacted the Competition Commission to inform them of their course of action. From very early on the Swatch Group has been cooperative and looking for an amicable settlement. Despite that it took until the 6th of June 2011 to finally agree on a settlement. This settlement was supposed to be valid until the end of 2012, yet there was an extension to it announced on the 07.05.2012⁹. On the 9th of September 2013 the Competition Commission and the Swatch Group agreed on another amicable settlement¹⁰. This settlement obligating Swatch to continue delivering a defined amount of watch components to their competition until the end of 2019. This is just happens to be one of a few instances where the commission had multiple investigations and decision for one violation of the regulations. Investigations like the one above display the difficulty that the commission faces and the trouble they sometimes have to enforce their decisions.

⁸ Swatch Group Lieferstopp, 06.06.2011 - 06.06.2011, LPC 2011-3, p.400-409

⁹ Swatch Lieferstopp – Verlängerung der Vorsorglichen Massnahmen vom 6. Juni 2011, 06. Jun 11 - 06. Jun 11, LPC 2012-2, p. 2 60-264

¹⁰ Swatch Group Lieferstopp, 06.06.2011-21.10.2013, LPC 2014-1, p.215-287

3. Conclusion

Since the Cartel Act was passed in 1995, the Competition Commission has done a multitude of tasks. However, the first investigation was only started in the back end of 1996 and the first one was actually finished in 1997. In general before 1997 there was not a lot of work done by the commission as it was more about setting up a structure to carry out investigation in the future. Despite that, the data from the competition commission shows no significant improvement in the way the commission conducts their investigations over the years. One would expect the commission to get more efficient over time and to be able to handle a bigger workload. Nonetheless there is no noteworthy rise in the amount of investigations finished each year, although there has been a rise in the amount of days needed to finish an investigation as well as an increasing amount of pages of the published decisions. This could be a sign of an increasing complexity in the investigations. Although the decisions of investigations, which took the most amount of time, do not necessarily contain the most amount of pages.

What has been changing over the years, are the decisions that the investigations lead up to. The commission has worked out and agreed to more amicable settlements in recent years. In fact there are more amicable decisions than one would expect to find. This shows that the commission is very willing to work with the rule breakers. This can be seen as a positive thing as it shows the companies readiness to admit their mistakes and work with the Competition Commission. However, it could also be seen as a negative thing as it shows the lack of willingness to hand out fair punishment to the corporation under investigation.

The commission has been mostly successful in not letting the report route significantly impact the outcome of cases. Only in investigations where the companies reported themselves are the examined organisations far more likely to come to an amicable settlement. As expected the most common report route for the commission was to be notified by an outside organisation or person. No impact on the decisions either has the type of misconduct. The type of outcomes are evenly spread for all of the main types of misconduct that the commission investigates.

The economic sector, in which the investigated corporation operates in, has no significant impact on the type of decisions either. While investigations in certain sectors tend to have

different type of decisions compared to the overall trend in decisions, those differences are too small to be classified as significant by the chi-squared test.

Analysing the annual reports of the commission additionally shows that the commission actually does a lot of work outside of investigating unlawful economic behaviour. One of those tasks is the examination of potential mergers. Those examinations mostly end with the commission accepting the mergers, often without more than a preliminary investigation. Even if there is an investigation necessary the commission accepts the merger more often than not. The commission also conducts preliminary investigations to find out if there is reason to suspect that there is an actual violation. The commission has done a poor job in selecting these preliminary investigations as only 17.5% of these actually led to a full scale investigation. Apart from enforcing the Cartel Act the commission is also supposed to enforce the Internal Market Act. They are asked to write expert and explanatory reports. The usefulness of most of these other tasks, done by the commission, is impossible to quantify. There is also no way of judging the quality of the work without an expert looking at each and every one of these reports.

To conclude, the Competition Commission has done a lot of important work over the 20 year timespan. They have given a lot of advice and written quite a few expert reports to help regulators. Additionally the commission has been quite successful in the conduction of investigations into unlawful economic behaviour. The results of those investigation have mostly not been overruled after appeals in front of the courts and there have also not been many repeat offenders. All of this points to a successful first twenty years of existence for the Cartel Act and the commission with it. However it is not possible to fairly judge the amount and the quality of work that the Competition Commission has done with just the publicly available information. The amount of public information is not sufficient for this, as there is a lack of facts and figures for each of the published investigations. The commission should thus consider to publish the amount of commission employees involved, the numbers of work hours, as well as the internal costs, for each investigation. They should further standardise the way they report their decisions. Only by making changes would it be possible to fairly judge their work.

4. Appendix

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B) Data Set based on Competition Commissions Annual Reports

Investigations	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Total
Conducted during the year		12	14	23	28	22	23	23	24	15	18	18	20	20	20	21	22	24	21	30	398
... Carried forward from previous year		4	7	12	16	18	9	19	21	12	14	15	13	16	14	16	15	17	19	15	272
... Investigations opened		8	7	11	12	4	14	4	3	3	4	3	7	4	6	5	7	7	2	6	117
... New investigations from divided investigations		0										0	0	0	0	0	0	0	0	9	9
Final decisions		5	3	8	11	13	4	5	10	4	4	7	4	6	5	6	5	7	6	7	120
... Change of behaviour					0	3	1	2	1	1	2	3		0	0	0	0	0	0	0	13
... Amicable settlements		0	1	0	2	2	2	1	2	1	1	1	1	3	3	1	3	1	4	3	32
... Administrative rulings			1	4	5	3	1	2	3	1	0	3	1	2	2	4	0	2	0	2	36
... Sanctions under art. 49a para. 1 Cartel Act		0	0								1	2	1	5	3	2	5	3	2	6	30
... Part-rulings		0										0	0						0	1	1
Procedural rulings												0	0		7	3	4	4	7	7	32
Other rulings (publication, costs, searches, etc.)												0	0						10	1	11
Precautionary measures			4	2	0	0	4	2	1	1	2	2	2	0	2	1	0	0	1	0	24
Sanctions under art. 50 Cartel Act				2	0	0	0	1	0	1	1						1				6
Preliminary Investigations																					
Conducted during the year		63	40	39	36	40	38	46	47	75	56	28	19	19	22	40	33	27	20	18	706
Carried forward from previous year		19	20	17	16	19	18	27	25	37	46	21	11	11	15	12	18	18	16	14	380
Opened		44	20	22	20	21	20	19	22	38	16	7	8	8	7	28	15	9	4	4	332
Concluded		43	23	24	20	21	23	30	20	28	35	18	12	7	13	27	17	11	11	7	390
... Investigations opened		5	3	10	9	4	9	4	3	2	2	1	2	1	3	1	4	3	1	1	68
... Modification of conduct						8	6	7	2	15	9	6	2	4	6	7	7	1	8	2	90
... No consequences		38	20	14	11	9	8	19	13	11	24	11	8	2	4	18	6	7	2	4	229

Other activities																					0
Notifications under Art. 49a para. 3 let. a Cartel Act									7	40	32	26	31	12	13	22	10	7	2	2	204
Advice									56	53	22	28	23	35	56	39	25	20	27	17	401
Market monitoring								95	82	29	46	62	36	87	105	62	58	76	61	33	832
Freedom of information applications																			13	23	36
Reports of failure to pass on foreign exchange benefits															n.a.	371	96	18			485
Other enquiries									154	487	412	212	246	210	374	566	680	547	594	685	5167
Mergers																					
Notifications		22	26	33	54	35	42	30	21	27	29	45	40	26	34	30	28	32	30	29	613
No objection after preliminary examination				31	52	33	38	25	16	24	26	39	39	19	29	29	28	26	35	26	515
Investigations				0	1	2	4	5	6	6	3	5	3	5	1	1	0	0	1	3	46
Decisions of the Competition Commission		21		0	1	2	0	2	2	1	0	3	2	4	1	1	1	0	0	0	41
... After preliminary examination		19	22											1	0	0	1	0	0	0	43
... After investigation		2	6	0									2	3	1	1	0	0	0	0	15
Sanctions		2	3	3	2	1	1	0	2	0				0	0	0	0	0	0	0	14
Early implementation		1	1	0	0	0	2	1	2	0	0	0	0	0	0	1	0	0			8
Appeal proceedings																					
Total number of appeals before the Federal Administrative Court and Federal Supreme Court												0	12	6	14	11	13	14	25	24	119
Judgments of the Federal Administrative Court													8	1	8	1	1	4	7	3	33
... Success for the competition authority												2	7	1	6	1	1	3	3	2	26
... Partial success												0	1	0	1	0	0	0	1	0	3
Judgments of the Federal Supreme Court														0	0	1	1	1	0	2	5
... Success for the competition authority														0	0	0	1	1	0	2	4

... Partial success														0	0	0	0	0	0	0	0
Pending at the end of year (before Federal Administrative Court and Federal Supreme Court)													4	5	9	9	11	13	21		72
Expert reports, recommendations and opinions etc.																					
Accompanying Conversion		5	6																		11
Expert reports (Art. 15 Cartel Act)		0	1	4	1	0	2	0	3	2	1	1	2	2	0	1	1	1	1	0	23
Recommendations (Art. 45 Cartel Act)		4	0	3	3	4	1	2	0	2	1	0	4	0	0	0	0	0	0	0	24
Expert opinions (Art. 47 Cartel Act, 5 para. 4 PMA or 11a TCA)			4	2	1	4	2	2	7	5	2	4	3	0	2	1	2	1	2	0	44
Follow-up checks		8	12	5	0	4	3	2	1	1	3	1	1	4	0	3	1	1	6	0	56
Determining dispositions			1	2	1																4
Notices (Art. 6 Cartel Act)			2	0	0	0	2	0	1	1	1	1	0		2	0	1	0	0	1	12
Opinions (Art. 46 para. 1 Cartel Act)		30	75	38	86	59	22	12	13	7	49	84	71		177	219	250	217	254	281	1944
Consultation proceedings (Art. 46 para. 2 Cartel Act)															5	8	8	5	5	8	39
IMA																					
Recommendations / Investigations (Art. 8 IMA)		5	4	1	2	1	1	0	1	1	0				0	0	1	1	3	2	23
Expert reports (Art. 10 I IMA)			1	0	0	3	0	1	0	0	0	0	0		2	1	1	2	1	1	13
Explanatory reports (Secretariat)			4	2	2	11	7	6	3	4	8	25	31		19	26	45	36	36	45	310
Appeals (Art. 9 para. 2bi s IMA)											0	3	3		2	1	3	6	5	1	24

C) Data Set of Competition Commissions Investigations

Untersuchungen	Seiten-Vol	Anzahl Seite	Jahr Veröffentlich	Startdatum	Enddatum	Dauer	Firma	OECD Numbr	Verstoss	Verstoss Art	Econ Rationals	Verfahrenskosten	Kosten getragen durch	Auskommen	Informiert worden durch	Start Vorabklärungen	
Contrats de distribution automobiles	178	1	1997		20. Jun 97		Automobilindustrie		3.5 Exklusivverträge								
Telecom PTT/Blue Window	161	14	1997	24. Sep 96	05. Mai 97	223	Telecom PTT		9 Unzulässige Verhaltensweise	Art. 7 KG		2	CHF 5'150.00 Firmen	Verpflichtung zu Änderungen	Anzeige	04. Sep 96	
Nutzzürlieferung	175	3	1997	07. Aug 96	16. Jun 97	313	Coop, Migros		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	CHF 5'030.00 Firmen	Eingestellt	Anzeige	22. Jul 96	
Recymet SA	322	2	1997	18. Aug 97	27. Aug 97		Recymet SA		10 Aktienanleihe	Art. 23 KG		4	- Firmen	Abgelehnt	Geschäftsleiter		
Sammlerevers für Musiknoten	334	10	1997	11. Nov 96	01. Sep 97	294	Händler und -Verleger		10 Unzulässige Wettbewerbsabrede	Art. 5 KG		2	CHF 4'150.00 Firmen	Verpflichtung zu Änderungen	Informant	05. Sep 96	
Telecom PTT-Fachhändlerverträge	506	9	1997	25. Apr 97	15. Dez 97	234	Telecom PTT, Telecom Direktion Zi		9 Missbrauchs einer marktbeherrschenden Stell	Art. 7 KG		2	-	Verpflichtung zu Änderungen	Informant		
Recymet SA	490	16	1997	04. Jun 97	15. Dez 97	194	Batrec AG		10 Unzulässige Wettbewerbsabrede	Art. 5 KG	1,2	-	-	Eingestellt	Anzeige		
Swisscom - Centrex	377	5	1998	22. Jan 98	22. Jun 98	151	Swisscom AG		9 Genehmigung einer einvernehmlichen Regelu	Art. 29 KG		-	-	Einvernehmliche Regelung	Anzeige	08. Okt 97	
Service- und Reparaturleistungen an Öl-/Gasbrenn	382	10	1998	24. Nov 97	17. Aug 98	266	VSO (Verband Schweizerischer Öl- und		4 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	Verpflichtung zu Änderungen	Informant	03. Apr 97	
Telecom PTT-Fachhändlerverträge	599	2	1998	12. Nov 98	21. Dez 98		Swisscom AG		9 Einstufungsverfügung	Art. 7 KG		-	-	Eingestellt	Weko		
Minolta	247	8	1999	07. Jun 97	01. Mär 99	632	Minolta (Schweiz) S.A.		6 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Informant	28. Apr 97
Spitalisten bei Halbprivatversicherungen mit eing	220	27	1999	02. Okt 96	19. Apr 99	929	Arcovita, Visana, CSS		8 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Informant	
Bahnhofskioske	403	20	1999	14. Sep 98	05. Jul 99	294	SBB, Kiosk AG, Alimentana		7 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Informant	22. Apr 98
Markt für Versicherungsprodukte in der obligatori	484	6	1999	19. Jan 98	06. Sep 99	595	Ärztesgesellschaft des Kantons Zürich		10 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Eingestellt	Informant	
Sammlerevers 1993 für den Verkauf preisgebunde	454	30	1999	28. Sep 98	06. Sep 99	343	Schweizer Buchhändler- und Verlegerv		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Verpflichtung zu Änderungen	Weko	
Schweizerische Meteorologische Anstalt	423	21	1999	17. Nov 98	06. Sep 99	293	Schweizerische Meteorologische Anst		10 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Verpflichtung zu Änderungen	Informant	
services	25	4	2000	18. Mai 99	07. Feb 00	265	Gastrojura, la Société vaudoise des		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Informant	25. Nov 98
Prix des quotidiens tessinois (per l'italiano B 2.2 2	16	9	2000	12. Jul 99	07. Feb 00	210	Società Editrice Corriere del Ticino S		9 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Weko	30. Nov 98
BKW FMB Energie AG	29	7	2000	13. Jul 99	07. Feb 00	209	BKW FMB Energie AG		4 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Anzeige	17. Mär 99
Accords sur les prix/répartition des ventes sur le n	186	10	2000	21. Jun 99	19. Apr 00	303	Hoffmann-La Roche AG		3.3 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Verpflichtung zu Änderungen	Informant	
Volkswagen-Vertriebsystem	196	16	2000	07. Okt 97	08. Mai 00	944	Volkswagen AG, Audi AG		3.5 Unzulässige Wettbewerbsabrede	Art. 5 KG		4	-	-	Eingestellt	Anzeige	09. Okt 96
Des tarifs conseillés de l'Association fribourgeoise	167	19	2000	27. Jul 99	08. Mai 00	286	APEC		3.5 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Verpflichtung zu Änderungen	Weko	18. Dez 98
Vertrieb von Markenartikeln im Detailhandel	212	12	2000	03. Nov 97	05. Jan 00	945	Migros, Coop, Syntrac, EG Dritte Ka		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		4	-	-	Eingestellt	Anzeige	
Vertrieb von Arzneimitteln/Sanphar	320	76	2000	20. Apr 98	07. Jun 00	779	Sanphar		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		4	-	-	Verpflichtung zu Änderungen	Weko	
Markt für Strassenbeläge	588	48	2000	20. Jul 99	04. Dez 00	503	Badertscher AG, BHT, BHZ, Biturit, I		5 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Verpflichtung zu Änderungen	Anzeige	21. Dez 98
Intensiv SA Grancia	95	15	2001	23. Sep 99	18. Dez 00	452	Intensiv SA, Grancia		3.5 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Verpflichtung zu Änderungen	Anzeige	
Kaladent AG	88	7	2001	23. Sep 99	29. Jan 01	494	Kaladent AG		3.5 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Informant	11. Mär 97
Chambre genevoise de l'étanchéité et de l'asphalte	110	5	2001	10. Jan 00	05. Mär 01	420	La Chambre genevoise de l'étanchéité		5 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Weko	
Watt/Migros - EEF	255	38	2001	14. Jun 00	05. Mär 01	264	Elektra Baselland Liestal		4 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Verpflichtung zu Änderungen	Anzeige	07. Mär 00
JC Decaux/Affichage	306	26	2001	07. Okt 99	07. Mai 01	578	JC Decaux, Affichage		9 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Eingestellt	Weko	
Watt/Migros - EBL	293	13	2001	04. Aug 00	07. Mai 01	276	Elektra Baselland Liestal		4 Zuständigkeit	Art. 7 KG		-	-	-	Abgelehnt	Geschäftsleiter	
Teleclub vs. Cablecom	503	7	2001	21. Jun 99	10. Aug 01	781	Cablecom Holding AG		9 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Anzeige	
SUMRA/Distribution de montres	510	13	2001	23. Aug 99	03. Sep 01	742	AMS (Association des fournisseurs d'h		3.5 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Weko	30. Nov 98
Watt/Migros - SE	688	7	2001	04. Sep 00	03. Sep 01	364	Inter-Service, Electricity S		4 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Anzeige	
Tarifvertrag in der halbprivaten Zusatzversicheru	645	43	2001	12. Mai 00	01. Okt 01	507	Aargauischen Ärzteverband, Klinik ie		10 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Selbstanzeige	08. Okt 99
Lokoop AG vs. SBB AG	72	5	2002	16. Feb 00	03. Okt 01	595	SBB AG		7 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Informant	19. Mai 99
Privatärztentafeln im Kanton Zürich	695	6	2001	09. Mai 00	05. Nov 01	545	Ärztesgesellschaft des Kantons Zürich		10 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Eingestellt	Informant	19. Okt 98
Mobilfunkmarkt	97	33	2002	01. Mai 00	03. Dez 01	581	Swisscom, Dixia, Orange		9 Unzulässige Wettbewerbsbeschränkungen	Art. 5 KG Art. 7 KG		1	-	-	Eingestellt	Weko	
Benzinmarkt Schweiz (Zeitraum 1993 - 2000)	77	20	2002	03. Mai 00	03. Dez 01	579	Agip (Suisse) SA, AGROLA, BP (Suis		4 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Eingestellt	Anzeige	21. Mär 00
Submission Betonsanierung am Hauptgebäude der	130	15	2002	13. Jan 00	17. Dez 01	704	Intotech AG, Renesco AG, Betosan AG		5 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Verpflichtung zu Änderungen	Anzeige	
Système de distribution Citroën	455	11	2002	02. Nov 98	19. Aug 02	1386	Citroën AG		3.5 Unzulässige Wettbewerbsabrede	Art. 5 KG		4	-	-	Einvernehmliche Regelung	Selbstanzeige	
Kreditkarten-Akzeptanzgeschäft	106	54	2003	10. Sep 99	18. Nov 02	1165	Cornier Banca SA, Diners Club (Schwe		8 Unzulässige Verhaltensweise	Art. 7 KG		1	-	-	Verpflichtung zu Änderungen	Weko	14. Okt 98
Tarifcation des honoraires de médecins genevois	265	6	2003	24. Okt 01	16. Dez 02	418	Association des Médecins du Canton e		10 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Eingestellt	Weko	
Fahrschule Graubünden	271	26	2003	13. Jul 99	06. Jan 03	1273	Autofahrerlehrerverbund des Kantons G		6 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Einvernehmliche Regelung	Weko	18. Dez 98
Credit Suisse/Bank Linth	514	15	2003	06. Mai 02	19. Mai 03	378	Credit Suisse - Bank Linth		8 Unzulässige Wettbewerbsabrede	Art. 5 KG		1	-	-	Gegenständlos	Selbstanzeige	
Veterinärmedizinische Tests/Migros	753	21	2003	17. Dez 02	20. Okt 03	307	Migros		6 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Gegenständlos	Anzeige	25. Sep 01
TicketCorner	778	25	2004	15. Apr 02	01. Dez 03	595	TicketCorner		6 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Verpflichtung zu Änderungen	Anzeige	14. Aug 01
Swisscom ADSL	407	42	2004	06. Mai 02	15. Dez 03	588	Swisscom AG, Swisscom Fixnet AG		9 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Verpflichtung zu Änderungen	Informant	
Markt für Schlachtschweine - Teil A	674	52	2004	01. Feb 02	15. Mär 04	773	(Holding)		6 Unzulässige Verhaltensweise	Art. 7 KG		2	-	-	Eingestellt	Weko	11. Apr 01

Untersuchungen	Seiten-Vol	Anzahl Seite	Jahr Veröffentl	Startdatum	Enddatum	Dauer	Firma	OECD Numbr	Verstoss	Verstoss Art	Bon Rationals	Verfahrenskosten	Kosten getragen durch	Auskommen	Informiert worden durch	Start Vorabklärungen	Sanktionen Gesamt	Sanktionen
Markt für Schlachtschweine - Teil B	726	52	2004	01. Feb 02	15. Mär 04	773	Migros-Genossenschafts-Bund Coop S	6	Unzulässige Verhaltensweise	Art. 7 KG	-	-	-	Eingestellt	Anzeige	11. Apr 01		
Association des cliniques privées de Genève	803	3	2004	18. Aug 03	05. Apr 04	231	Vereinigung der Genfer Privatkliniken	10	Unzulässige Wettbewerbsbedre	Art. 5 KG	-	-	-	Eingestellt	Weko	24. Jan 03		
ErfahrungMedizinisches Register (EMR): Eskam	449	36	2004	26. Feb 02	26. Apr 04	790	Eskam AG	10	Unzulässige Verhaltensweise	Art. 7 KG	-	-	-	Gegenandlos	Anzeige	15. Mär 01		
Tarifvertrag mit Privatkliniken in der halprivat	1026	14	2004	12. Mai 00	01. Okt 04	1603	wie andere der santéuisse Argum-	10	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	-	Eingestellt	Weko	08. Okt 99		
Tarifvertrag mit öffentlichen Spitälern in der hal	1018	8	2004	17. Dez 02	01. Okt 04	654	Gesundheitsdepartement des Kantons	10	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	-	Eingestellt	Weko			
Vertrieb von Tierarzneimitteln	1040	60	2004	25. Mai 00	11. Okt 04	1600	Schweizerischer Tierarzneimittelherst	3.3	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	-	Einvernehmliche Regelung	Weko	06. Aug 99		
Krankenversicherer/Weita AG	1100	21	2004	27. Mär 03	25. Okt 04	578	santéuisse, Weita AG	4	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	-	Eingestellt	Informant	02. Okt 02		
CoopForte	146	25	2005	03. Dez 01	08. Nov 04	1071	Coop	6	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Firmen	Einvernehmliche Regelung	Anzeige			
ETA SA Manufacture Horlogère Suisse	128	18	2005	04. Nov 02	08. Nov 04	735	ETA SA Manufacture Horlogère Suis	3.5	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Firmen	Einvernehmliche Regelung	Informant	03. Okt 02		
Swisscom "Talk & Surf"	248	3	2005	16. Feb 04	08. Nov 04	266	Swisscom AG	6	Geschäft im Erlösraum einer Forschungsvorstellung		-	-	Später entschieden	Abgelehnt	Geschäftsfall			
Swisscom Directories AGbetreffend Herstellung,	54	60	2005	04. Nov 03	22. Nov 04	384	Der Swisscom Directories AG	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Eingestellt	Informant			
Feldschlösschen Getränke Holding/Coca Cola AG	114	14	2005	20. Nov 00	06. Dez 04	1477	Feldschlösschen Getränke Holding, Co	3.1	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Firmen	Verpflichtung zu Änderungen	Anzeige			
Sammelreviers 1993 für den Verkauf preisgebunde	269	43	2005	28. Sep 98	21. Mär 05	2366	Schweizer Buchhändler- und Verleger	6	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	-	Verpflichtung zu Änderungen	Weko			
SwicoSens	251	18	2005	31. Mai 02	21. Mär 05	1025	Swico, Sens	3.4	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Weko	Eingestellt	Weko			
Kreditkarten - Interchange Fee	65	53	2006	06. Jan 04	05. Dez 05	699	UBS AG, Credit Suisse, Visa, Card Se	8	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	-	Einvernehmliche Regelung	Informant	10. Apr 03		
Vertriebspartnerschaften der AEW Energie AG u	227	15	2006	27. Mär 02	19. Dez 05	1363	AEW Energie AG, Aspo Vertrieb AG	4	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Eingestellt	Informant	10. Aug 01		
Flughafen Zürich AG (Uniparc) - Aulet Parking	625	43	2006	01. Dez 03	18. Sep 06	1022	Flughafen Zürich AG	7	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Einvernehmliche Regelung	Weko			
Aspo-Migros - EBL, Verweigerung der Durchleite	64	7	2007	04. Aug 00	06. Nov 06	2285	Elektron Baselland Liestal	4	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Eingestellt	Anzeige	14. Feb 00		
Kreditkarten-Akzeptanzgeschäft	71	8	2007	10. Sep 99	18. Dez 06	2656	Comstar Banca SA, UBS Card Center A	8	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Gegenandlos	Weko			
TicketCorner AG	79	3	2007	19. Jan 04	18. Dez 06	1064	TicketCorner AG	6	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Weko	Eingestellt	Geschäftsfall			
Terminierung Mobilfunk	241	63	2007	15. Okt 02	08. Feb 07	1574	Orange Communications AG, Swissco	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Verpflichtung zu Änderungen	Weko		CHF 2'500'000	
Richtlinien des Verbandes Schweizerischer Werbe	190	51	2007	06. Nov 02	05. Mär 07	1580	AdX AG Ad Broker, Verband Schweiz	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Einvernehmliche Regelung	Anzeige		CHF 333'365'085	Swisscom Mobile AG 333'365'
Swisscom ADSL	410	5	2007	06. Mai 02	07. Mai 07	1827	Swisscom AG, Swisscom Fixnet AG	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Weko	Eingestellt	Anzeige	28. Mär 02		
Teleclub AG/Cablecom GmbH/Swisscable	400	10	2007	23. Sep 02	04. Jun 07	1715	Cablecom, Swisscable	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Weko	Eingestellt	Informant			
Neue Eisenbahn-Alpentransversale (NEAT)	415	16	2007	22. Nov 04	18. Jun 07	938	Hörslin (Schweiz) AG, Cinets Vigier	5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Weko	Eingestellt	Anzeige			
Strassenbeläge Tesin	85	28	2008	04. Apr 05	19. Nov 07	959	Aebischer SA, Arag SA, Batigrup (Ti)	5	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Verpflichtung zu Änderungen	Informant			
Submission Betonanisierung am Hauptgebäude der	339	10	2009	13. Jan 00	19. Nov 07	2867	Hoterch AG, Renesco AG, Betosun AG	5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Weko	Eingestellt	Informant			
Debitkarten-Akzeptanzgeschäft (Nichtdiskrimini	248	2	2008	29. Jan 02	03. Mär 08	2225	Die Schweizerische Post, Comstar Banc	8	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Weko	Sanktion	Weko		CHF 50'000	
Publikation von Arzneimittelinformationen	385	27	2008	21. Jun 05	07. Jul 08	1112	Doumad AG	3.3	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Einvernehmliche Regelung	Anzeige			
Tarifverträge Zusatzversicherung Kanton Luzern	544	49	2008	07. Feb 06	06. Okt 08	972	Concordia, CSS Versicherungen AG, H	1	Unzulässige Wettbewerbsbeschränkungen	Art. 5 KG, Art. 7 KG	1	-	Weko	Sanktion	Selbstanzeige	CHF 55'000	Land Schweiz AG CHF 5'000	
Séateurs et cuillies	143	16	2009	07. Jan 08	25. Mai 09	504	Felco SA, Land Schweiz AG	3.5	Unzulässige Verhaltensweise	Art. 7 KG	2	-	-	Einvernehmliche Regelung	Selbstanzeige	CHF 1'122'950	271'648	
Elektroinstallationsbetriebe Bern	196	27	2009	29. Jan 08	06. Jul 09	524	Aetel Gebäudetechnik West AG, BKW	4	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 486'400	Firmen	Einvernehmliche Regelung	Informant			
Preispolitik Swisscom ADSL	116	67	2010	20. Okt 05	19. Okt 09	1460	Swisscom AG	9	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 349'321	Firmen	Verpflichtung zu Änderungen	Informant	CHF 4'830'580	4820580	
Hors-Liste Medikamente: Preise von Cialis, Levi	649	54	2010	26. Jun 06	02. Nov 09	1225	Prizer AG, Eli Lilly (Säiso) SA, Bayer	3.3	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	CHF 692'118	Firmen	Verpflichtung zu Änderungen	Weko	10. Mai 05	CHF 219'861'720	Swisscom 19'861'720
Gaba	65	51	2010	08. Feb 07	30. Nov 09	1026	Gaba International AG	3.3	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	-	Verpflichtung zu Änderungen	Anzeige	10. Mai 06		
Vorsorgliche Massnahmen in Sachen Kreditkarte	473	26	2010	15. Jul 09	25. Jan 10	194	Credit Suisse (CS), Comstar Banca SA (C	8	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Später entschieden	Einvernehmliche Regelung	Weko			
Hors-Liste Medikamente: Verfügung betreffend G	703	14	2010	04. Feb 10			Bayer (Schweiz) AG	3.3	Geschäftsgeheimnisse-Publikation der Verfüg Art. 24 KG			CHF 4'900'00	Firmen	Geschäft	Geschäftsfall			
Komponenten für Hete-, Kühl- und Sanitäranlagen	615	42	2012	16. Dez 08	10. Mai 10	510	Flumco AG, Pneumatex AG, Walter N	6	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 127'000	Firmen	Einvernehmliche Regelung	Selbstanzeige			
Ausländische Biere	444	29	2010	30. Okt 08	28. Jun 10	606	Anheuser-Busch InBev NV/SA Grupo	3.1	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	Weko	Sanktion	Anzeige	CHF 7'626'863	SFS unimarket AG CHF	
Bauchschliffe für Fenster und Fensterrahmen	717	58	2010	16. Jul 07	18. Okt 10	1190	Sergia-Aubi AG, Aug. Winkhaus	3.4	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 718'670	Firmen	Verpflichtung zu Änderungen	Selbstanzeige			
Six-Terminals mit Dynamic Currency Conversion	96	102	2011	17. Jan 07	29. Nov 10	1412	SIX Group AG, SIX Multipay AG, SIX	8	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 215'650	Firmen	Verpflichtung zu Änderungen	Anzeige	24. Jul 06		
Swatch Group Lieferpost	400	9	2011	n.a.	06. Jun 11		Swatch Group AG	3.5	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Später entschieden	Einvernehmliche Regelung	Selbstanzeige			
Behinderung des Online-Handels	372	28	2011	15. Sep 10	11. Jul 11	299	Electrolux AG, V-Zug AG	3.5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Firmen	Einvernehmliche Regelung	Informant	14. Sep 09		
Swisscom Mobilfunk in Strassenraum	86	2011	01. Dez 08	16. Okt 11			Swisscom AG, Swisscom Fixnet AG					CHF 1'200'00	Firmen	Geschäftsfall	Geschäftsfall			
AKCOPA	529	121	2011	01. Dez 08	31. Okt 11	1064	Importateurs et fournisseurs de l'	3.3	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 584'414	Firmen	Verpflichtung zu Änderungen	Informant			
Vertrieb von Tickets im Hallenstadion Zürich	74	39	2012	02. Feb 10	14. Nov 11	650	Aktionärsversammlung Hallenstadion Zuri	6	Unzulässige Wettbewerbsbeschränkungen	Art. 5 KG, Art. 7 KG	1	-	WEKO	Anzeige		24. Feb 09		
Terminierung Mobilfunk	522	7	2011	15. Okt 02	12. Dez 11	3345	Swisscom AG, Sunrise Communicat	9	Unzulässige Verhaltensweise	Art. 7 KG	2	-	Weko	Eingestellt	Weko			
Wettbewerbsbedreken im Strassen- und Tiefbau im	270	156	2012	08. Jun 09	16. Dez 11	921	bmw	5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 525'490	Firmen	Verpflichtung zu Änderungen	Anzeige		CHF 3'897'775	Cellere und die Cellere AG
BMW	540	74	2012	25. Okt 10	07. Mai 12	560	BMW	3.5	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	CHF 205'881	Firmen	Verpflichtung zu Änderungen	Anzeige		CHF 156'868'150	
Swatch Lieferpost - Verhängung des Vorabklär	200	4	2012	07. Mai 12			Swatch Group AG	3.5	Verhängung des Vorabklärungs Massnahmen, Art. 7 KG					Geschäft	Weko	CHF 10'000	Die Swisscom AG und die Swisscom	
Recommandations tarifaires de l'Union suisse des	657	12	2012	08. Jun 10	02. Jul 12	755	Union suisse des professi-onnels de l'	6	Unzulässige Wettbewerbsbeschränkungen	Art. 5 KG, Art. 7 KG	1	-	Firmen	Einvernehmliche Regelung	Weko	07. Jun 09	CHF 35'000	
Vertrieb von Musik	820	22	2012	06. Jun 11	16. Jul 12	406	HPPI Schweiz, Phononet AG, Media C	6	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 91'753	Firmen	Einvernehmliche Regelung	Anzeige		CHF 3'520'000	stellvertretend für seine
Verfügung vom 10. Dezember 2012 in Sachen Ab	142	68	2013	09. Okt 07	10. Dez 12	1889	Agility Logistics International BV, De	7	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 561'141	Firmen	Einvernehmliche Regelung	Selbstanzeige	CHF 6'220'153	International BV CHF	
Verfügung vom 18. März 2013 in Sachen Teb 2 S	210	12	2013	26. Mär 12	18. Mär 13		Swisscom	9	Widerungsverstossgegen	Art. 30 KG		CHF 21'120	Firmen	Abgelehnt	Geschäftsfall			
Wettbewerbsbedreken im Strassen- und Tiefbau im	524	129	2013	08. Jun 09	22. Apr 13	1414	Gallen	5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 437'450	Firmen	Verpflichtung zu Änderungen	Informant			
Décision incidente du 1er juillet 2013 dans l'enga	653	3	2013	02. Feb 12	01. Jul 13	515	(société civile) (Säiso) SA	8	Vorsorgliche Massnahmen	Art. 27 KG	1	CHF 6'870	Firmen	Verpflichtung zu Änderungen	WEKO	CHF 493'208	und Cellere AG Zürich,	
Arbeitsverpflichtung in der Untersuchung L'HORR	321	4	2013	01. Jul 13			ICAP ph	8	Ankaufspflicht	Art. 27		CHF 149'00	Firmen	Verpflichtung zu Änderungen	WEKO			
Sport im Pay-TV - Vorsorgliche Massnahmen	387	4	2014	03. Apr 13	08. Jul 13	96	CT Cinetrade AG, Teleclub AG	9	Vorsorgliche Massnahmen	Art. 27 KG	1	-	Geschäftsfall	Eingestellt	Geschäftsfall			
Swatch Group Lieferpost	215	72	2014	06. Jun 11	21. Okt 13	868	Swatch Group AG	3.5	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 485'812	Firmen	Einvernehmliche Regelung	Informant			
Kosmetikprodukte (Dermologica)	184	31	2014	26. Okt 11	21. Okt 13	726	Care on Skin GmbH, Dermologica Inc	3.3	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	CHF -	WEKO	Eingestellt	Informant			
Sport im Pay-TV - seltsame Verfahrensmassnahmen	301	16	2014	03. Apr 13	18. Nov 13		Swisscom (Schweiz) CT Cinetrade AG	9	Verfahrensmassnahmen	Art. 27 KG		CHF -	WEKO	Eingestellt	WEKO			
Jura	407	11	2014	27. Okt 11	30. Jun 14	977	Jura Elektroapparate AG	3.5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	1/2 Firmen	Einvernehmliche Regelung	Informant			
ETA Preisbehörden	396	11	2014	14. Sep 09	14. Jul 14	1764	ETA SA Manufacture Horlogère Suis	3.5	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 1.00	WEKO	Sanktion	Geschäftsfall	24. Nov 08		
Preispolitik und andere Verhaltensweisen der SDA	670	36	2014	22. Feb 12	14. Jul 14	873	Schweizerischen Depeschengenerat AG	9	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 182'400	Firmen	Einvernehmliche Regelung	WEKO	CHF 1'880'000		
Tierprodukte	246	79	2015	08. Dez 08	17. Nov 14	2170	Prinz Blaser & Cie. AG, Rudolf Geiser	3.5	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	CHF 324'308	Firmen	Einvernehmliche Regelung	Geschäftsfall		0	
Kreditkarten Domestic Interchange Fees II (K	165	28	2015	15. Jul 09	01. Dez 14	1965	BoninCard.ch AG, Cembra Money Ba	8	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	-	Firmen	Einvernehmliche Regelung	Selbstanzeige		0	
Tunelreinigung	193	53	2015	05. Feb 13	23. Feb 15	748	Besa strassenunterhalt AG, ISS Schweiz	5	Unzulässige Wettbewerbsbedre	Art. 5 KG	1	CHF 298'425	90	Informant	CHF 185'500	einem Betrag von CHF		
Säureinstrumente (Gläsern und Böse) und Zahel	722	35	2016	03. Jul 13	29. Jun 15	726	Blum Olar AG	4	Unzulässige Wettbewerbsbedre	Art. 5 KG	4	-	Firmen	Einvernehmliche Regelung	Anzeige		0	
Swisscom WAN-Anbindung	128	90	2016	18. Jul 13	21. Sep 15	795	Swisscom AG	9	Unzulässige Verhaltensweise	Art. 7 KG	2	CHF 200'036	Firmen	Verpflichtung zu Änderungen	Geschäftsfall	CHF 791'643	000	
Online-Buchungsplattformen für Hotels	67	61	2016	11. Dez 12	19. Okt 15	1042	Reservation Service, Robert, Ragg	6	Verhaltensweise	Art. 5 KG, Art. 7 KG	2	CHF 374'243	2/3 Firmen	Verpflichtung zu Änderungen		06. Jun 12		
Flügel und Klaviere	652	70	2016	26. Nov 12	14. Dez 15	1113	Grotian, Hefflicher, Schulz, Th. Stei	6	Unzulässige Wettbewerbsbedre									